

State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program

**Public Notice
Of Application for Water Quality Certification**

Pursuant to federal law (Title 33, United States Code, Section 1341; Clean Water Act Section 401), applicants for a federal license or permit for activities which may discharge to waters of the United States must seek Water Quality Certification from the state or Indian tribe with jurisdiction. Such Certification is based on a finding that the discharge will meet water quality standards and other applicable requirements. In California, Regional Water Quality Control Boards (Regional Board) issue or deny Certification for discharges within their geographical jurisdiction. The State Water Resources Control Board has this responsibility for projects affecting waters within multiple RWQCB jurisdictions. The following information is provided in satisfaction of the public notice requirements of Section 3858, Title 23, of the California Code of Regulations, which govern the State's Certification Program.

Applicant: Inyo National Forest

Applicant Contact Erin Lutrick
Telephone: (760) 873-2545
Email: elutrick@fs.fed.us

Project Name: Kern Plateau Stream and Riparian Restoration

Date of Application: 7/3/2008

Affected Regions: Lahontan (Region 6) and Central Valley (Region 5)

**Public Notice for Water Quality Certification and/or Waste
Discharge Requirements (Dredge/Fill Projects)
Kern Plateau Stream and Riparian Restoration**

Inyo and Tulare Counties

On July 3, 2008, the State Water Resources Control Board (Water Board) received an application from Erin Lutrick, on behalf of Inyo National Forest (applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities consisting of repairing existing headcut structures, and placing new grade stabilizing and headcut structures and conducting treatment effectiveness monitoring on streams on the Kern Plateau. Four of the 7 project sites are on tributaries to the Kern River (Tulare County) and three are in the Cottonwood Creek watershed (Inyo County), which flows to the Owens River. The purpose of the project is to improve meadow and stream condition, as well as aquatic habitat for Golden Trout and Mountain Yellow Legged Frog.

The project sites are on streams within meadows/wetlands where there have been negative impacts as a result of overgrazing and recreational land uses. In all cases, there has been stream headcutting, incision, and/or widening that currently threatens to extend upstream. In most cases, the stream alteration has also affected the hydrologic function of the surrounding meadow by lowering the water table. This project would construct grade control and stabilization structures and repair existing structures to help stop headcut expansion and begin returning the stream to a more natural morphology.

Restoration work will include: 1) Repair and maintain failing headcut and grade stabilizing structures in Olivas, Casa Vieja, Horseshoe, Dutch, Groundhog and Ash Meadows. 2) Install new structures in Casa Vieja, Olivas, Bullfrog, and Groundhog Meadows. 3) Perform headcut and grade stabilization effectiveness monitoring.

The project would consist of work at 7 individual locations across the Kern Plateau. At these locations, a total of approximately 55 new structures would be constructed and up to 100 would be rebuilt, repaired or maintained. The structures will be placed across the channel over approximately 4.2 stream miles, each structure covers approximately 5-20 feet of stream (from 50-400 square feet total ground disturbance each), for a total ground disturbance of less than $\frac{1}{2}$ acre at the restoration sites. There may be up to an additional $\frac{1}{2}$ acre of ground disturbance at the borrow sites for rocks and other construction material. The stream length that would be protected from current and future downcutting would be about 6.2 miles. An estimated 180 acres of meadow will be restored or protected from dewatering and subsequent vegetation change.

Nearby trees and branches may be cut and locally collected rocks will be used for structure construction. Willows will be planted to help stabilize the stream banks. Any construction sites or borrow sites will be designed to avoid sensitive heritage, wildlife, botany, or resource areas. A biologist or trained technician will be on site during initial project implementation to determine presence of frogs or salamander habitat within the immediate project area. All work will be completed when the streams are not flowing, or are flowing at very low levels. Diversions and/or dewatering will not be necessary

Note: A public Notice for this project was originally posted on July 7, 2008. This Public Notice supercedes the previous Notice as the project description has been expanded to include new information and additional project sites.

Water Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff

member Darren Bradford at (916) 341-5558, or at dbradford@waterboards.ca.gov, or Bill Orme at (916) 341-5464, or at borme@waterboards.ca.gov within 21 days of the posting of this notice.

Date Posted:

State Water Resources

Control Board Staff Contact:

Darren Bradford, Environmental Scientist

Water Quality Certification and Wetlands Unit,

Division of Water Quality

State Water Resources Control Board

Fax: 916- 341- 5808

Note: No regulatory decision on the application is implied or intended in this public notice.